persons from other places as often as not they never take charge. Sometimes they come to the place work there for a few days and enter on leave on loss of pay or sick leave. It is to the interest of the Government themselves that they appoint persons as far as possible from the places where the vacancy arises. So far as the persons in permanent service is concerned, it is dobutful if this rule can be uniformly followed. When it is the question of initial appointment it can be done and we are as far as possible doing it. In the case of permanent service, probably in the case of lower class teachers it might be possible to give some transfer. Suppose there are vacancies in the Taluk Offices in the Taluks. It may be possible to transfer clerks from the southern division taluk office. That can be done only subject to certain restrictions. It is not possible to transfer experienced clerks from outside places to the places that they want. That is really a practical difficulty. Subject to that, Government are even now following what the Hon'ble Member is now suggesting.

മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ: ഇതു നിമിത്തം എഫിഷ്യൻസിക്കു ദോഷംവരുമെന്നാണു പറയുന്നതു്. എഫിഷ്യൻസിയുള്ളവരായാൽ അവക്കു സൌകര്യമുള്ള സ്ഥലത്തേക്കു മാറ്റംകിട്ടാൻ വിഷമമുണ്ടെന്നാണു പറയുന്നതു്. സ്റ്റാഫ്സിലക്ഷൻബോർഡിൽനിന്നു് നിയമിക്കുന്ന ആദ്യത്തെ നിയമനക്കാരെ ഞാൻ ഇതിൽ ഉദ്ദേശിച്ചിട്ടില്ല. സ്ഥിരമായി ഉദ്യോഗത്തിലിരിക്കുന്നവക്കു് മാറ്റം കൊടുക്കേണ്ടതിനെപ്പറ്റി മാത്രമെ ഞാൻ ഇതുകൊണ്ടുദ്ദേശിച്ചിട്ടുള്ളൂ. ഇതിനെസംബന്ധിച്ചു ബഹുമാനപ്പെട്ട സിക്രട്ടറി അവർകൾ പറഞ്ഞിട്ടുള്ള വിഷമങ്ങൾ ഇതിലുണ്ടെന്നു ഞാൻ വിശ്വസിക്കുന്നില്ല. കഴിയുന്നതും സ്ഥിരം അദ്ധ്യാപകന്മാരുടെ കാര്യത്തിലെങ്കിലും ഇതുചെയ്തുകൊടുക്കേണ്ടതാണു്.

രാമവമ്മതമ്പുരാൻ: ഇതിൽ വലിയ ബുദ്ധിമുട്ടുണ്ടാകയില്ല. ഇവിടെനിന്നു് ഒരു ഒന്നാംക്ലാസ്സ് മാസ്റ്ററെ മറ്റൊരു സ്ഥലത്തെ ഒന്നാംക്ലാസിലേക്കു മാറ്റാൻ വിഷമമില്ല. അപ്പീക്ഷൻ കൊടുത്താൽ ഡിപ്പാർട്ട്മെണ്ടുതന്നെസമ്മതിക്കും.

മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ: അതുപോലെതന്നെ കാൻസ്സ്വിലിംമാരുടേയും ശിപായിമാരുടേയും കാര്യത്തിൽ ഗവൺമെണ്ടു ദയ കാണിക്കണമെന്നുള്ള അപേക്ഷയോടുകൂടി ഇതു ഞാൻ പിൻവലിക്കുന്നു.

Cut motion, by leave, withdrawn

Cut motion No. 4
Elected President for the Legislative Council

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* To reduce the allotment of Rs. 14,066 for Legislative Council by Re. 1.—This is to *press on the Government to arrange for having an elected President for the Cochin Legislative Council.*

It is well known, sir, that the President of the Legislative Council is the custodian of the rights, privileges and functions of this House.

Mr. M. Krishna Menon *(Trichur-North):* Number 30 also relates to the same matter standing in my name. That also may be discussed.

Mr. President: One motion will be taken first.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* The Constitution Act of Cochin lays down that the Diwan shall be the ex-officio President. Being the paid servant of His Highness the Maharaja he cannot be expected, in the very nature of things, to have all the powers and all the liberties and all the latitudes of action enjoyed by the Speaker of the Houses of Parliament. Therefore, sir, it is in the fitness of things that this Legislative Council in the twentieth year of its existence at least be given an elected President. I have thought this to be the opportune moment for this reason that one who hails from the land of the Mother of Parliaments will be the fittest person to make recommendations in this behalf to His Highness the Maharaja to grant us this, our legitimate request. Further expatiation is not necessary. I commend this resolution for the acceptance of the House.

Mr. K. S. Panicker *(Ezhuvas-Mukundapuram):* I oppose this motion.

Mr. President: Has the motion been seconded?

Mr. A. B. Salem *(Mattancheri):* I second it and in doing so I wish to point out that I have also tabled a cut motion No. 29 on the same subject and the reasons are given in the printed list. If British India and Provinces can have a speaker of their own and if it is admitted that Cochin State is educationally, intellectually and politically far advanced than British India, there is no justification why here we should have a system which they have. They have got a self constituted Parliament subject to certain defects. But the speaker of House is an elected one.

Mr. President: The Hon'ble Member must confine himself to this particular subject.

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Mr. A. B. Salem *(Mattancheri)*: They are having all that. We are not asking for all that. We are asking by this motion that the President of this House may be a non-official. That is the only question. It also relieves the Diwan from other duties. We want the Diwan in the House. We do not want to have a Diwan as the President. The Diwan must sit in this House because it is his executive orders that we are considering here in the Legislative Council. We are here to criticise the Government and if we put the Head of the Department himself in the Chair it will be a kind of Janus head as it were. He may pass resolutions here as President and as Diwan, say we regret we cannot accept it. That incongruous position we want to avoid. We have been agitating for this from 1926. In 1926 we submitted a draft Constitution Act. Then the Diwan was Mr. Narayana Ayyar. 18 years have rolled by and we are still pressing it. In 1935 we got new Government of India Act. 9 years have rolled by and the system has not been copied in Cochin. I hope all members of this House will support this motion.

മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ: രാഷ്ട്രീയകാര്യങ്ങളിൽ വളരെ മുന്നോട്ടുപോയിട്ടുള്ള ഉൽബുദ്ധജനതയാണ് കൊച്ചിയിലുള്ളതെന്ന ഏവർക്കും അറിയാം. എന്നാൽ കൊച്ചിക്ക് പരിപൂർണ്ണമായ ഉത്തരവാദിത്വഭരണം കിട്ടാത്തകാലത്തോളം എപ്പോഴും ദിവാൻജിതന്നെയാണ് പ്രസിഡെണ്ടായിരിക്കേണ്ടതു്. പരിപൂർണ്ണമായ ഉത്തരവാദിത്വഭരണം ഞങ്ങൾക്കു കിട്ടുന്നപക്ഷം ഞങ്ങൾ തിരഞ്ഞെടുക്കുന്ന ആളായിരിക്കണം പ്രസിഡണ്ട്. അങ്ങിനെ അല്ലാത്തിടത്തോളംകാലം ദിവാൻജിയവർകൾതന്നെ പ്രസിഡെണ്ടായിരിക്കേണ്ടതു പ്രത്യേകിച്ചും ഇതു് ഈ കാലസ്ഥിതിക്കു് അവശ്യം ആവശ്യമാണ്. ആ ഒരൊറ്റ കാരണത്താൽ ഞാൻ ഈ ഖണ്ഡനോപക്ഷേപത്തെ എതിർക്കുന്നു.

Mr. C. V. Iyyu *(Kunnamkulom)*: I also oppose this motion. The position of the Diwan is not that of a Minister or a Prime Minister. The Diwan's position is rather an anamolous one in the constitution of native States.

The Diwan is the representative and the advisor of the Maharaja. He can also be called a prime-minister. He can also be called the Chief Constitutional Advisor of His Highness the Maharaja. As long as the diarchical system prevails, as long as we are not in a position to have full responsible Government, it is always better that the Diwan, whoever he be, presides over deliberations of this House. Supposing the Diwan comes down to the Treasury Bench and sits by the side of the Minister as the Primeminister of this State. The President will have to consult the Diwan sometimes as to what should be the position. The President can only allow or disallow things and do nothing more than that. In that position, probably the Diwan will have to appoint a Deputy Diwan to sit by the side of the Minister and the Diwan just as the Diwan sits in the Governor's box in the Madras Legislative Council when bureaucracy was working there. The Diwan will have the same Governor's box here and sit there, so that he can give instructions to the Deputy Diwan to declare about the policy of the Government. He connot also as Diwan, who is the advisor of His Highness the Maharaja, come down to the level of a so-called Minister or a Primeminister. There are such constitutional difficulties in my humble opinion and in the knowledge which I have gathered by consulting those people who know these things. In addition to that an overhauling motion which was rejected just now is proof conclusive that we are for never such a thing. Because even according to the statement of the Hon'ble Minister when he was the leader of the opposition, delivered on 4th April 1940, and having regard to the statement of the Minister, my humble statement pointing out the resignation of the great Deladier, the first French Premier, of his premiership counting the neutrals also against the Minister, Dr. A. R. Menon, the nominated members not being allowed to vote in the motion of nonconfidence for counting the neutrals also against the Minister. My statement has not been objected to by the present Minister. So when we count that and take into consideration the number of officials and non-officials, I think the Majority is probably on the other side.

"ഇതു് ഞങ്ങൾക്കു ഭരണം കിട്ടണമെന്നുള്ള ഉദ്ദേശത്തോടുകൂടി കൊണ്ടുവന്നിട്ടുള്ളതല്ല. അതിനെപ്പറ്റി ഒരു സംഗതിയെ പറയാനുള്ളൂ. ഞങ്ങളായാലും നിങ്ങളായാലും വേറെ ആരുതന്നെയായാലും കൺവെൻഷൻകൊണ്ടുമാത്രമെ നമുക്കിന്നു ഹെൽത്തു് സ്ഥാപിക്കുവാൻ സാധിക്കുകയുള്ളുവെന്നു് എല്ലാവർക്കും അറിയാം. അങ്ങിനെയുള്ള ഒരു ഹെൽത്തു കൺവെൻഷൻ സ്ഥാപിക്കേണ്ടതു് എല്ലാ കക്ഷികളുടേയും ചുമതലയാണു്. ഭരണകക്ഷി അതിനു തയ്യാറുണ്ടെങ്കിൽ ഞങ്ങളും തയ്യാറാണു്. ഞങ്ങൾ ആ ഭാഗത്തു വരികയും നിങ്ങൾ അതിനു തയ്യാറാകുകയും ചെയ്യുകയാണെങ്കിൽ അങ്ങളും അതുപോലെ തയ്യാറാണെന്നു ഉറപ്പു പറഞ്ഞുകൊള്ളുന്നു."

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Mr. Ismail Hajee Essa Sait *(Mattancheri)*: He is talking entirely of different matter.

Mr. President: I understood the Hon'ble Member to be adopting the well known practice of talking out the motion.

Demand under 15 General Administration for Rs. 2,17,963 put and carried.

II. General Administration—Cranganur—Rs. 2,491

Rama Varmha Tampuran *(Secretary to Government)*: I move for Rs. 2,491 under General Administration—Cranganur. I request that the House may be pleased to vote this grant.

Demand put and carried.

The House rose for the day at 5 p.m.

N. S. RADHAKRISHNA SARMA
Secretary to the Council

APPENDIX I

(Please see Answer to Question No 57 (b)

Year	*No. of cases in which the accused were discharged*	*No. of cases in which the accused were acquitted*
1117	22	69
1118	153	118
1119	107	149

APPENDIX II

(Please see Answer to Question No. 57(c)

Year	*No. of cases in which the accused were discharged*	*No. of cases in which the accused were acquitted*
1117	26	50
1118	35	75
1119	19	27

APPENDIX III

(Please see Answer to Question No. 63)

Name of Taluk	*Quantity of Viruppu paddy purchased till date in 1119 9—7—1944*			*Quantity of Mundakan paddy purchased till the week ending 1—7—1944*			*Quantitiy of kole & Puncha paddy purhased till week ending 1—7—1944*		
	P.	*E.*	*N.*	*P.*	*E.*	*N.*	*P.*	*E.*	*N.*
Talappalli ..	7,24,251	9	0	8,26,546	9	4	93,685	3	0
Chittur ..	9,20,816	2	0	11,24,581	5	0	4,169	6	2

APPENDIX IV

(Please see answer to Question No. 70 (a)

Name of Court		*No. of suits filed*	*Name of Court*		*No. of suits filed*
Anjikaimal District Court	..	12	Cranganur	..	38
Trichur do.	.	7	Trichur	..	112
Ernakulam Munsiff's Court	..	56	Vadakkancheri	..	74
Cochin do.	..	32	Chittur	..	37
Irinjalkkuda	..	154		Total ..	522

APPENDIX V

(Please see Answer to Question No. 70 (d)

Name of Court		*No. of suits filed*	*Name of Court*		*No. of suits filed*
Anjikaimal District Court	..	11	Cranganur Munsiff's Court	..	25
Trichur do.	..	5	Trichur do.	..	71
Ernakulam Munsiff's Court	..	46	Vadakkancheri do.	..	46
Cochin do.	..	27	Chittur do.	..	21
Irinjalakkuda do.	..	97		Total ..	349

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